



CRL OP(MD). No.7941 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 29.04.2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.7941 of 2025

Mariraj Alias Rasukutty

... Petitioner/ Accused No.1

Vs

The State of Tamilnadu,
Rep.By the Inspector of Police,
Muneerpallam Police Station,
Tirunelveli District.
Crime No.332 of 2023

... Respondent/Complainant

For Petitioner : Mr.K.Jeyamohan

For Respondent : Mr.R.Meenakshi Sundaram
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

To grant bail for the petitioner / accused in S.C.No.157 of 2024 on the file of the learned IV Additional District and Sessions Judge, Tirunelveli District.



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ORDER: The Court made the following order :-

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This Criminal Original Petition has been filed by the petitioner on 25.04.2025 under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS) praying to grant bail.

2. The petitioner / accused No.1 was arrested and remanded to judicial custody on 07.09.2023 for the alleged offences punishable under Sections 147, 148, 341, 294(b), 302 and 506(ii) of Indian Penal Code, 1860 altered into Sections 147, 148, 341, 294(b), 302, 506(ii), 120(B) and 34 of Indian Penal Code, 1860 in Crime No.332 of 2023 on the file of the respondent-police.

3. The case of the prosecution is that on on 24.08.2022, there was wordy quarrel between the deceased and A2, due to which, the deceased murdered the close relative of A2 on the same night. Hence, as a retaliation, on 28.08.2023, the accused persons unlawfully assembled with deadly weapons and murdered the deceased. Hence, the case.

4. Mr.K.Jeyamohan, the learned counsel appearing for the petitioner submits that the petitioner did not commit any offence as alleged by the prosecution and that



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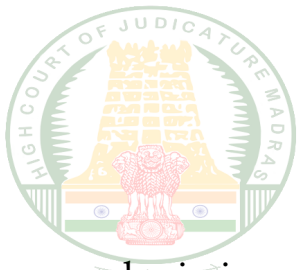
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he has been falsely implicated in this case. He further submits that the petitioner has been in judicial custody since 07.09.2023. He however submits that the petitioner is ready to abide by any condition to be imposed by this Court. He therefore prays to grant bail to the petitioner.

5. Mr.R.Meenakshi Sundaram, learned Additional Public Prosecutor appearing for the respondent-police, submits that this is second bail application and there are no changes in circumstances. He further submits that the petitioner has 10 previous cases, out of which, 4 are for the offence punishable under Section 302 IPC (two of which ended in acquittal), 3 are for the offence punishable under Section 307 IPC and one is for the offence punishable under NDPS Act. He further submits that in this case, trial commenced and PW1 was examined and turned hostile. At this stage, if bail is granted to the petitioner, he will cause threat to the witnesses and thereby delay the trial proceedings. Accordingly, he prays to dismiss this Criminal Original Petition.

6. Heard on both sides. This Court has perused the records.

7. The petitioner was arrested on 07.09.2023 and is in judicial custody. The



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submission of the learned Additional Public Prosecutor is that in this case, trial
WEB COPY commenced, PW1 was examined and turned hostile and at this stage, if bail is granted to the petitioner, he will cause threat to the witnesses and thereby delay the trial proceedings. Considering the antecedents of the petitioner, this Court is of the view that the apprehension of the prosecution is reasonable and hence, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

sd/-
29/04/2025

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/05/2025
Sub-Assistant Registrar (C.S.-I/ II /III/ IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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TO

1.THE IV ADDITIONAL DISTRICT AND SESSIONS JUDGE,
TIRUNELVELI DISTRICT.

2. THE SUPERINTENDENT,
CENTRAL PRISON,
PALAYAMKOTTAI.



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3. THE INSPECTOR OF POLICE,
MUNEERPALLAM POLICE STATION,
TIRUNELVELI DISTRICT.

4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.K.JEYAMOHAN, Advocate (SR-5140[I] dated 30/04/2025)

ORDER
IN
CRL OP(MD) No.7941 of 2025
Date :29/04/2025

VN/15.05.2025 5P/6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023